

IC 15-2.1-21

Chapter 21. Crimes and Infractions

IC 15-2.1-21-1

Interference with tests

Sec. 1. A person who knowingly or intentionally:

- (1) treats a bovine animal with a material, substance, or biologic for the purpose of interfering with the brucellosis test or with a reaction to a brucellosis test;
- (2) fraudulently makes an animal react to a brucellosis test; or
- (3) interferes with the inspector who is making the test;

commits a Class D felony.

As added by Acts 1976, P.L. 59, SEC.1. Amended by Acts 1978, P.L. 2, SEC.1503; P.L.165-1985, SEC.26.

IC 15-2.1-21-2

Interference with identification

Sec. 2. A person who knowingly or intentionally:

- (1) alters or changes any animal official identification for the purpose of concealing the identity of an animal;
- (2) interferes with the official identification of a diseased domestic animal;
- (3) removes, without permission of the board, except as otherwise provided in this article, any animal from a herd placed under quarantine; or
- (4) alters or changes the official identification of any domestic animal;

commits a Class D felony.

As added by Acts 1976, P.L. 59, SEC.1. Amended by Acts 1978, P.L. 2, SEC.1504; P.L.165-1985, SEC.27.

IC 15-2.1-21-3

Sale or transfer of diseased animals

Sec. 3. A person who knowingly or intentionally:

- (1) sells;
- (2) keeps, with intent to sell; or
- (3) otherwise disposes of to another person, with intent to conceal, except for immediate slaughter;

an animal classified as a reactor, or suspected of being affected with any disease as disclosed by a test recognized by the board, commits a Class D felony.

As added by Acts 1976, P.L. 59, SEC.1. Amended by Acts 1978, P.L. 2, SEC.1505; P.L.165-1985, SEC.28.

IC 15-2.1-21-4

Transport of diseased cattle

Sec. 4. A person who knowingly or intentionally:

- (1) delivers for transportation;
- (2) drives on foot;
- (3) otherwise removes from the premises where they are

located; or
(4) receives for transportation;
any cattle classified as being a reactor or suspected of being affected with brucellosis as disclosed by a test recognized by the board, except for immediate slaughter or by special permit from the board, commits a Class D felony.
As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1506; P.L.165-1985, SEC.29.

IC 15-2.1-21-5

Transport with nondiseased animals

Sec. 5. A person who knowingly or intentionally transports a domestic animal identified as a reactor with other domestic animals, except where the other domestic animals being transported with it are for immediate slaughter, commits a Class D felony.
As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1507; P.L.165-1985, SEC.30.

IC 15-2.1-21-6

Importation

Sec. 6. A person who knowingly or intentionally imports a domestic animal into Indiana without taking suitable precautions to prevent the introduction and spread of contagious or infectious disease, in conformance with the rules adopted by the board, commits a Class D felony.
As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1508; P.L.165-1985, SEC.31.

IC 15-2.1-21-7

Transportation of diseased domestic animals

Sec. 7. A person who knowingly or intentionally moves, from the property on which the domestic animal is confined, a domestic animal that has an infectious or contagious disease, except under rules adopted by the board, commits a Class D felony.
As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1509; P.L.165-1985, SEC.32.

IC 15-2.1-21-8

Running at large

Sec. 8. (a) Except as provided in subsection (b), a person responsible for livestock or poultry who knowingly or intentionally permits the animal to run at large commits a Class B misdemeanor.
(b) Subsection (a) does not apply to a person who keeps livestock on property by means of a cattle guard or another device under IC 8-17-1-2.1.
As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1510; P.L.165-1985, SEC.33; P.L.123-1986, SEC.4; P.L.16-2005, SEC.1.

IC 15-2.1-21-9

Violations

Sec. 9. (a) This section does not apply to IC 15-2.1-23 or IC 15-2.1-24.

(b) A person who knowingly or intentionally violates or fails to comply with this article commits a Class D felony.

(c) A person who knowingly or intentionally violates or fails to comply with a rule adopted under this article commits a Class A infraction.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1978, P.L.2, SEC.1511; P.L.165-1985, SEC.34; P.L.123-1986, SEC.5; P.L.137-1996, SEC.52; P.L.124-2001, SEC.144.

IC 15-2.1-21-10 Repealed

(Repealed by Acts 1978, P.L.2, SEC.1549.)

IC 15-2.1-21-11**Repealed**

(Repealed, as added by Acts 1977, P.L.26, SEC.3, by Acts 1978, P.L.8, SEC.12.)

(Repealed, as added by Acts 1977, P.L.169, SEC.1, by Acts 1982, P.L.6, SEC.16.)

IC 15-2.1-21-11.1**Dogs under 8 weeks; sale; transporting with dam required; exemption**

Sec. 11.1. No person may import to, or export from, Indiana for the purpose of sale any dog under the age of eight (8) weeks unless the dog is transported with its dam; however, research facilities licensed under the federal Laboratory Animals Welfare Act, 7 U.S.C. 2131 et seq., are exempted from this prohibition.

As added by Acts 1982, P.L.6, SEC.15.

IC 15-2.1-21-12**Repealed**

(Repealed by P.L.165-1985, SEC.37.)

IC 15-2.1-21-13**Birds or rabbits; sale restricted; exception; discoloring prohibited**

Sec. 13. (a) A person who sells:

(1) a bird under the age of three (3) weeks; or

(2) a rabbit under the age of two (2) months;

commits a Class B misdemeanor. This subsection does not apply to commercial breeders or distributors whose facilities are adequately equipped for the care of young birds or rabbits.

(b) A person who dyes, stains, or otherwise alters the natural coloring of a bird or rabbit commits a Class B misdemeanor.

As added by Acts 1978, P.L.8, SEC.11. Amended by P.L.165-1985, SEC.35.

IC 15-2.1-21-14

Penalty; civil action; injunctions

Sec. 14. (a) This section does not apply to IC 15-2.1-23 or IC 15-2.1-24.

(b) A person who violates a provision of this article, or any rule adopted under this article, or who violates any determination or order of the board or an agency made under this article, is liable for a penalty not to exceed twenty-five thousand dollars (\$25,000) for each day of the violation, plus payment to the board for the costs incurred by the board that were incurred as a direct consequence of prosecution for the violation. These penalties and costs may be recovered in a civil action commenced in any court of competent jurisdiction by the board or an agency. In addition, in an action to recover the penalty, a request may be made that the person be enjoined from continuing the violation.

As added by P.L.165-1985, SEC.36. Amended by P.L.95-1992, SEC.11; P.L.137-1996, SEC.53; P.L.124-2001, SEC.145.

IC 15-2.1-21-15

Written instruments

Sec. 15. Official certificates of health, inspection, and vaccination, tests, and other prescribed documents that are required by this article or by rule constitute written instruments for purposes of IC 35-43-5.

As added by P.L.123-1986, SEC.6.